

03/15/00  
JCT59-U.S. PTO

Docket No. A-67860-3/RMS/DAV

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-67860-3/RMS/DAV

Anticipated Classification of  
this Application:

Class: Subclass:

Prior Application:

Examiner:

Art Unit:

"EXPRESS MAIL" MAILING LABEL  
NUMBER E1465283885US

DATE OF DEPOSIT March 15, 2000

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
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UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS  
ADDRESSED TO: BOX PATENT APPLICATION, ASSISTANT  
COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME HAMMID SANCHEZ

SIGNED HSS

**Box PATENT APPLICATION**

Assistant Commissioner for Patents  
Washington, DC 20231

JCT59-U.S. PTO  
09/525361  
03/15/00

Sir:

This is a request for filing an

- Original
- Continuation
- Divisional
- Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of DAVID MACK and KURT C. GISH  
for NOVEL METHODS OF DIAGNOSING AND TREATING BREAST CANCER, COMPOSITIONS, AND  
METHODS OF SCREENING FOR BREAST CANCER MODULATORS.

1. (a)  Enclosed is a new application.  
(b)  Enclosed is a continuation-in-part application.  
(c)  Enclosed is a copy of the prior application.
  
2. (a)  Enclosed is a new Declaration.  
(b)  Enclosed is a copy of the prior executed Declaration as  
originally filed.
  
3. (a)  Enclosed is a Small Entity Affidavit.  
(b)  A Small Entity Affidavit is of record in the prior application.

4. \_\_\_\_\_ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

FOR: BASIC FEE	(Col. 1) <u>NO. FILED</u>	(Col. 2) <u>NO. EXTRA</u>	<u>SMALL ENTITY</u>		<u>OTHER THAN A SMALL ENTITY</u>	
	<u>RATE</u>	<u>Fee</u>	OR	<u>RATE</u>	<u>Fee</u>	
TOTAL CLAIMS	_____ - 20 = *	_____	\$345	OR	\$690	
INDEP CLAIMS	_____ - 3 = *	_____	x 9 = \$ _____	OR	x 18 = \$ _____	
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED			x 39 = \$ _____	OR	x 78 = \$ _____	
*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.			+130 = \$ _____	OR	+260 = \$ _____	
			TOTAL \$ _____	OR TOTAL	\$ _____	

5. \_\_\_\_\_ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300.

6. X NO filing fee is enclosed.

7. \_\_\_\_\_ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8. \_\_\_\_\_ Amend the specification by inserting before the first line the sentence:

--This is a \_\_\_\_\_ continuation \_\_\_\_\_ division X continuation-in-part of pending applications Serial No. 09/268,865, filed March 15, 1999; Serial No. 09/439,878, filed November 12, 1999; Serial No. 09/440,370, filed November 12, 1999; Serial No. 09/440,493, filed November 15, 1999; Serial No. 09/440,676, filed November 16, 1999; Serial No. 09/440,677, filed November 16, 1999; Serial No. 09/450,810, filed November 29, 1999; Serial No. 09/453,137, filed December 2, 1999; and Serial No. NOT ASSIGNED, filed March 8, 2000.--

9. (a) X 188 sheets of drawings are enclosed.

10. (a) \_\_\_\_\_ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.

(b) \_\_\_\_\_ The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.

11. \_\_\_\_\_ An Assignment is enclosed.

12. \_\_\_\_\_ The prior application is assigned of record to \_\_\_\_\_.

13. \_\_\_\_\_ A Power of Attorney by Assignee is enclosed.

14. \_\_\_\_\_ The power of attorney in the prior application is to:

\_\_\_\_\_ (name)

\_\_\_\_\_ (address)

(a) \_\_\_\_\_ The power appears in the original papers in the prior application.

(b) \_\_\_\_\_ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c) X Address all future communications to:

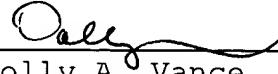
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187  
Telephone: (415) 781-1989

15. \_\_\_\_\_ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

16. \_\_\_\_\_ A Prior Art Statement is enclosed.

17. \_\_\_\_\_ I hereby verify that the attached papers are a true duplicate of prior application Serial No. \_\_\_\_\_ as originally filed on \_\_\_\_\_.

Date: March 15, 2000

  
\_\_\_\_\_  
Dolly A. Vance  
Registration No. 39,054

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